



**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

*I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2004..*

Trudi Thompson  
Trudi Thompson

Application Number	: 09/772,634	Confirmation No. 9937
Filing Date	: January 30, 2001	
Inventor(s)	: Steven W. Herring	
Title	: METHODS FOR STABILIZING LYOPHILIZED BLOOD PROTEINS	
Group Art Unit	: 1653	
Examiner Name	: Abdel A. Mohamed	
Docket No.	: 32943/JWP/A97	Date: April 29, 2004
Customer No.	: 23363	

**MAIL TO: Mail Stop RCE**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

**1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:**

- a. ☒ Pending (no review proceedings active)
- (1) ☒ An Action was mailed by the Office on November 4, 2003, as to which no appeal under 37 CFR § 1.191 has been filed and
- ☐ a response under 37 CFR § 1.116 was mailed on
- ☐ via Express Mail
- ☐ with certificate of mailing under 37 CFR § 1.8
- ☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request
- ☐ an appeal or civil action under 35 U.S.C. 141, 145 or 146 has been terminated
- (2) ☐ Allowed: the Notice of Allowance was mailed by the Office on
- ☐ the Issue Fee has not been paid
- ☐ the Issue Fee has been paid and a petition under 37 CFR § 1.313 was granted on
- b. ☐ Pending (with review proceeding active)
- An appeal under 37 CFR § 1.191 has been filed. **Applicant(s) hereby withdraw that appeal and request reopening of the prosecution of the application.**

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**Application No. 09/772,634**

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**2. SUBMISSION(S) REQUIRED (check at least one)**

**a. Previously submitted**

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed on  
☐ Consider the arguments in the Appeal or Reply Brief previously filed on  
☐ Other:

**b. Enclosed**

- ☒ Amendment/Reply  
☐ Affidavit(s)/Declaration(s)  
☐ Information Disclosure Statement  
☐ Documents under 37 CFR § 1.48  
☒ Petition for Extension of Time  
☒ Other: Checks for \$770 and \$950

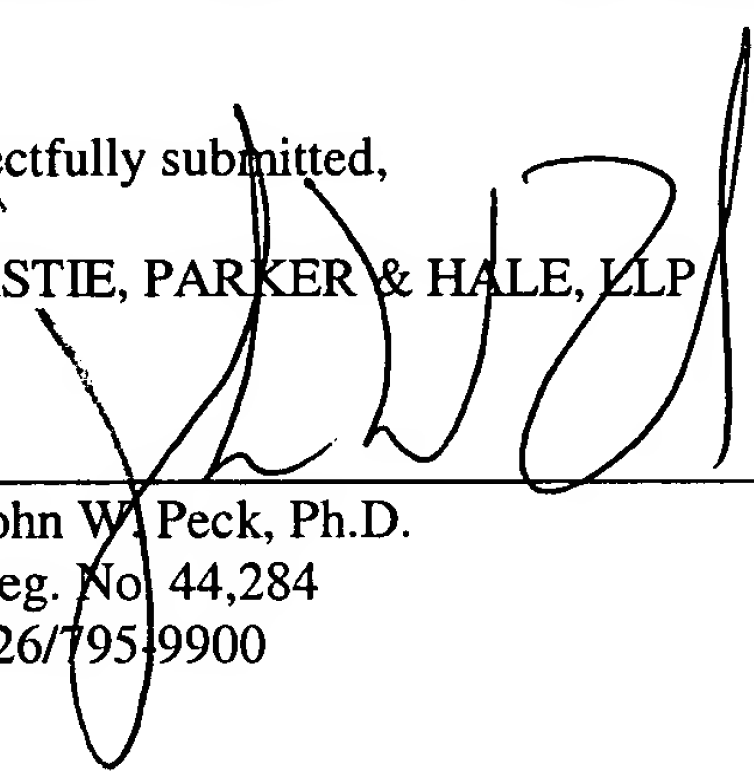
The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068, Pasadena, CA 91109-7068.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By

  
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John W. Peck, Ph.D.  
Reg. No. 44,284  
626/795-9900

JWP/tt

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 09/772,634**

**PART I — BASIC FEE**

BASIC FEE	Small Entity \$385.00	Large Entity \$770.00	\$770.00
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**PART II — ADDITIONAL CLAIMS (compared to application before RCE)**

	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	30	*30	0	0 x \$9.00	0 x \$18.00	0
Independent Claims	3	**4	0	0 x \$43.00	0 x \$86.00	0
First Presentation of Multiple Dependent Claim				\$145.00	\$290.00	0
TOTAL CLAIMS FEE						\$770.00

List Independent Claims: 1, 18, 19, 20, 21, 22, 26

\* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE.  
\*\* IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.

1. FEES (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
  - a. Amount (total from Fee Calculation Sheet)  
A check for \$770.00 is enclosed.
  - b.   X   The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. A **duplicate copy hereof is enclosed.**
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Appl No. : 09/772,634 Confirmation No. 9937  
Applicant : Steven W. Herring  
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Title : METHODS FOR STABILIZING LYOPHILIZED BLOOD PROTEINS  
  
TC/A.U. : 1653  
Examiner : Abdel A. Mohamed  
  
Docket No. : 32943/JWP/A97  
  
Customer No. : 23363

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
April 29, 2004

Commissioner:

In response to the Office action of November 4, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.